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Hungary*

The present report is a summary of 23 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

I. Information provided by the national human rights institution of the State under review accredited in full compliance with the Paris Principles

1. Regarding previous UPR recommendations made on the ratification of OP-CAT[2], the Office of the Commissioner for Fundamental Rights of Hungary (CFR) reported that the National Preventive Mechanism (NPM) was established as a separate department within the Office of CFR in 2014. In accordance with the Paris Principles, a Civil Consultative Body (CCB) was set up with the participation of 8 NGOs and so far the NPM had carried out 11 visits. CFR indicated that the major challenge for the NPM was the lack of adequate funding.[3]

2. Regarding measures to combat discrimination against ethnic minorities and particularly against Roma,[4] CFR highlighted that the members of the Roma community were the most likely to fall victims of human rights violations. It stated that the disadvantageous social situation of Roma was aggravated by discrimination especially in the field of education, health, employment, housing and access to services.[5] CFR stressed that the collection of disaggregated data – among others - by ethnicity would be essential to tackle discrimination.[6]

3. On a recommendation from the first UPR regarding measures to reduce unemployment among Roma,[7] CFR reported that Roma were increasingly engaged in public work programs which actually failed to improve the employment prospects of participants and often did not meet fully the requirements of labour law.[8]

4. CFR stated there was no strategy against the sexual exploitation of children and child prostitution and children's homes often lacked adequate solutions when facing prostitution or sexual exploitation cases.[9]

5. Regarding recommendations on bringing the juvenile justice into line with international standards[10], CFR considered that provisions of the Misdemeanor Act, which enabled the use of detention as a sanction in juvenile's cases, were not in accordance with the CRC.[11]

6. Regarding a recommendation of the first UPR cycle on the implementation of CRPD[12], CFR reported that the National Disability Council had been designated as the Independent Monitoring Mechanism under CRPD and did not comply with the Paris Principles.[13] CFR mentioned barriers hindering full access to public services for persons with disabilities, despite all the efforts taken by the relevant authorities.[14] CFR reported that the visit of the NPM had confirmed that the placement of persons with intellectual disabilities or mental health problems in institutions was still an accepted practice, and that no efforts were being made to reduce the number of inmates.[15]

II. Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations

7. JS7 asserted that in line with the respective UPR recommendations[16], Hungary had ratified OP-CAT.[17]

8. JS9 recommended that Hungary ratify OP-CRC-IC and ICRMW.[18]

9. JS10 recommended that Hungary ratify the Istanbul Convention without delay, and implement it in cooperation with women's rights NGOs active in the field.[19]

10. The European Commission Against Racism and Intolerance (CoE-ECRI) recommended that Hungary ratify the Additional Protocol to the Convention on Cybercrime concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems.[20]

2. Institutional and human rights infrastructure and policy measures

11. JS2 found positive that following the first UPR cycle, the Human Rights Working Group (an inter-ministerial working group to monitor and promote the human rights situation in Hungary) was set up with a clear mandate to follow-up on the recommendations received as part of the UPR process.[21] JS10 asserted that the working group on women's rights had only met twice in 2014 and important draft laws (on domestic violence and protection of victims) had not been put on the agenda to be discussed by this working group.[22]

12. JS7 stated that the former four Ombudspersons (Parliamentary Commissioners) had been replaced by one, decreasing the level of protection in relation to certain rights.[23] JS11 recommended that Hungary ensure the independence of the Parliamentary Commissioner for Fundamental Rights, that it adheres to the Paris Principles and establishes a focal point for the protection of human rights defenders.[24] JS11 highlighted that Hungary's Commissioner for Fundamental Rights had been granted 'A' status and that however, it had not yet demonstrated a true ability to criticise harmful government policies and legislation.[25]

13. JS7 stated that the Commissioner for Fundamental Rights was designated to be the National Preventive Mechanism, but that its functioning did not fulfil all the requirements set up by OP-CAT and the Paris Principles.[26]

14. JS10 stated that the Council for Gender Equality, a tripartite (state, civil society, experts) consultative body had not been convened since 2010.[27] JS10 recommended that Hungary equip the national machinery for gender equality with the necessary financial and human resources, as it had been consistently underfunded and understaffed.[28]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

15. The European Union Agency for Fundamental Rights (EU-FRA) reported that while the legal apparatus offered a good level of formal protection in principle against racism, xenophobia and related intolerance, there was evidence to suggest that this apparatus and the policies that derived from it were nevertheless not implemented effectively.[29]

16. Council of Europe (CoE) underscored the concern of the Commissioner for Human Rights (CoE-Commissioner) on the deterioration of the situation regarding racism and intolerance, in particular targeting Roma, Jews, LGBTI people, asylum seekers and refugees.[30]

17. CoE-ECRI asserted that hate speech occurred across the political spectrum. As a result of the climate of impunity, derogatory remarks about Roma, Jews, LGBT persons, asylum seekers and refugees had become commonplace in the public sphere.[31] Committee of Ministers (CoE-Cm) expressed deep concern that hate speech and racism in public statements, and in certain media, was increasing.[32] JS5 recommended that the Government

of Hungary ensure the message was clear: racist comments by public officials, including law enforcement and administrative officials, were not tolerated in Hungary.[37] CoE-ECRI recommended that Hungary take a less restrictive approach to allow for due prosecution and punishment of hate speech.[38]

18. Regarding UPR recommendations on strengthening efforts on transphobic and homophobic hate crimes[39] JS2 welcomed the 2013 amendment of the Criminal Code which included sexual orientation and gender identity in its hate speech and hate crime provisions.[40] JS5 said that under the new Criminal Code, still only the most extreme form of hate speech was outlawed.[37] CoE-ERI recommended that Hungary amend the Criminal Code to include, inter alia, incitement to discrimination, incitement to violence and a racism-specific defamation offence as crimes.[38]

19. JS5 recommended, inter alia, that the Government of Hungary adopt a hate crime investigative protocol and ensure that victims of hate crimes have effective access to mechanisms of justice and redress.[39]

20. JS7 stated that the current government promoted traditional gender roles through several communications and measures.[40] With regard to the first cycle UPR recommendation 94.42 about the elimination of stereotypes regarding the roles of men and women,[41] JS3 recommended the review of the family tax system with the aim of ensuring adequate appreciation of the invisible work performed in family life.[42]

21. JS7 reported that there were no female ministers in the current government and that the constantly low representation of women in the Parliament did not improve after the 2014 elections.[43] OSCE/ODIHR asserted there was no gender parity system for elected and appointed political bodies and recommended that Hungary introduce effective legislative measures – e.g. quotas – to increase women's participation in political life and decision-making.[44]

22. JS10 recommended that Hungary put in place and duly implement a human rights based, comprehensive gender equality strategy.[45]

23. JS2 recalled that no progress had been made regarding the two UPR recommendations on combating discrimination based on sexual orientation and/or gender identity[46] as there were still no state-sponsored campaigns or comprehensive efforts to address prejudices and discrimination against LGBTQI people, and transphobic and homophobic speech by public figures was on the rise.[47]

24. JS11 stated that Hungary had accepted recommendations concerning LGBTI and women's rights at its last UPR[48] and that nonetheless, the new Constitution and the Family Protection Act both contained discriminatory language against these groups.[49] JS2 recommended that Hungary adopt a comprehensive strategy and action plan covering all spheres of life to tackle discrimination based on sexual orientation and gender identity and that it amend relevant provisions of the Fundamental Law and the Civil Code.[50]

2. Right to life, liberty and security of the person

25. CoE reported that European Committee for the Prevention of torture and Inhuman or Degrading Treatment or Punishment (CoE-CPT) had received several complaints about excessive use of force by police officers at the time of apprehension and ill-treatment during police questioning.[51] CoE-CPT recommended that the Hungarian authorities strengthen their action to prevent police-ill treatment, particularly by inter alia, delivering a firm message of "zero tolerance" of ill-treatment and developing a system of ongoing monitoring of interviewing standards and procedures.[52]

26. HHC recommended that Hungary adopt measures aimed at decreasing the number of pre-trial detainees and the length of pre-trial detentions, encouraging the use of alternative coercive measures.[53]

27. Hungarian Helsinki Committee (HHC) considered that the UPR recommendation on measures to ensure impartial and effective investigation of cases of ill-treatment by law enforcement personnel had not been implemented.[54] HHC recommended that Hungary extend investigative capacities and increase the budget and staff of the Independent Law Enforcement Complaints Board.[55]

28. HHC indicated that despite certain legislative changes, the procedure adopted for life imprisonment still did not comply with the standards set out by the European Court of Human Rights regarding the prohibition of torture and inhuman or degrading treatment or punishment. HHC recommended that Hungary abolish the institution of life imprisonment.[56]

29. CoE stated that in its report, Group of Experts on Action against Trafficking in Human Beings (CoE-GRETA) welcomed the steps taken to prevent and combat trafficking in human beings in Hungary, including the adoption of legislation criminalising human trafficking. However, the report stressed the need to allocate sufficient resources to achieve the goals of the national strategy.[57] CoE underscored that given the low number of convictions, the report of CoE-GRETA called on the authorities to take measures to ensure human trafficking cases were investigated and prosecuted effectively.[58]

30. JS9 stated that even though the law stipulated the total ban of corporal punishment, there had been no progress since its coming into effect in 2005 to implement it. JS9 asserted that the child protection system could not effectively prevent and give assistance and protection to children suffering from abuse and neglect.[59]

31. JS10 considered that improper application of existing legislation and regulations as well as the limited availability of proper support services were major obstacles for victims of domestic violence to access justice.[60] JS10 explained that while a specific legal provision regarding "relationship violence" was incorporated in the Criminal Code in 2012, it did not cover all kinds of intimate partnership and all forms of violence, such as stalking. It also stated inter alia, that the legal definition of rape was still not based on the lack of consent and that reference to sexual morals was still present in the new regulation.[61] JS10 recommended that Hungary, inter alia, adopt a comprehensive law on domestic violence.[62]

3. Administration of justice, including impunity and the rule of law

32. JS4 affirmed that the government had systematically eliminated the autonomy of many state institutions designed to control the power of the government's executive branch.[63] Frontline Defenders (FLD) asserted that since 2010, the authorities had taken progressive steps to alter the constitutional system of checks and balances in favour of the executive.[64]

33. JS4 asserted that the government, based on its majority in Parliament, had undermined the Constitutional Court's (CC) capacity to control legislature. The Government had lifted to the constitutional level ordinary legal provisions which had been previously found unconstitutional. It also restricted the CC's power relative to legislation on the central budget, taxes, and pension and health care contributions.[65]

34. JS4 recommended, inter alia that Hungary repeal the Fourth Amendment to the Fundamental law, which declared void the CC's decisions adopted prior to the Fundamental Law.[66] International Bar Association (IBAHRI) recommended that Hungary implement the UN Basic Principles on the Independence of the Judiciary and repeal all provisions of national law that represented a restriction on the Court's jurisdiction.[67]

35. IBAHRI stated that National Judicial Council (NJC), the independent body of judicial self-government in charge of supervising the central administration of courts, held insufficient power to supervise the administration of justice effectively and thereby guarantee judicial independence.[68] IBAHRI considered that the president of the National Judicial Office (NJO) retained a key role in the selection, appointment and termination of judicial positions.[69] It recommended that Hungary grant all functions relating to judicial transfer, suspension and cessation of judicial functions to the NJC.[70]

36. CoE underscored that in its report, the Group of States against Corruption (CoE-GRECO) noted that MPs, judges and prosecutors all enjoyed immunity in respect of all criminal offences, except for situations of "in flagrante delicto" and expressed that such privileges should be reduced, as they could otherwise counteract efficient corruption prevention.[71]

37. JS4 asserted that the Prosecutor General's wide and unchecked discretion put the right to fair procedure at risk.[72] CoE-GRECO reported that in the prosecution service, there was a need for adequate checks and balances in order to prevent the potential for malpractice and corruption.[73] JS4 recommended that States call upon Hungary, inter alia, to create a mechanism that allows for the judicial review of a prosecutor's decision not to indict.[74]

38. HHC considered that the UPR recommendations to combat overcrowding in prisons and improve prison conditions[75] had only been implemented partially.[76] JS7 recommended a more frequent use of non-custodial punitive measures and minimising the recourse to pre-trial detention.[77]

39. HHC indicated that the UPR recommendations aimed at bringing the juvenile justice system fully in line with the relevant conventions had not been implemented [78], as juveniles could still be taken into petty offence confinement, and recommended that Hungary abolish this practice.[79] JS7 recommended that Hungary reinstate the juvenile courts with judges who had undergone special training and take measures to raise the age of criminal responsibility from 12 years back up to 14 years, even for the most serious crimes.[80] JS9 made similar recommendations.[81]

4. Right to privacy, marriage and family life

40. JS8 expressed that the Fundamental Law recognized the right to privacy and to protection of personal data but that there were many laws affecting these rights.[82]

41. JS8 reported that under Hungarian law, the authorities could request communication data in bulks without justification.[83] JS7 recommended that Hungary revise the law on National Security Services allowing unjustified and disproportionately intrusive measures within the framework of secret surveillance without a judicial warrant and repeal the unlawful legal provisions on Data Retention.[84] JS8 recommended, inter alia, that Hungary ensure that its communication surveillance laws, policies and practices adhere to international human rights; that the communications interception regime comply with the principles of legality, proportionality and necessity; and that oversight over the surveillance practices of its state security and intelligence agencies is strengthened.[85]

42. JS10 stated that the narrow interpretation of the family included in the 2013 modification of the Fundamental law, could negatively affect certain groups, such as those living in civil partnership, sexual minorities or children not living in a marriage-based family.[86]

43. JS3 stated that a national strategy should be introduced to prevent the forced separation of children from their families due to economic reasons.[87]

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

44. JS11 stated that independent media was subject to restrictions and interference in Hungary.[88] FLD reported that the number of independent media was declining and journalists had been dismissed for reporting critically about the government, encouraging self-censorship.[89] CoE-Commissioner was concerned about increasing threats to media pluralism, considering measures such as the tax on advertising revenues and restrictions on political advertising.[90] CoE-Commisioner exhorted the Hungarian authorities to refrain from adopting measures which further restricted the space in which the media could operate freely and fully perform their watchdog functions.[91]

45. JS12 recommended that Hungary establish a multiparty parliamentary nomination system for the members of the Media Authority and Council.[92]

46. JS12 expressed concern that the constitutional amendment that prohibited speech that violated the dignity of the Hungarian nation could be used to curtail criticism of Hungarian institutions and authorities.[93] Alliance Defending Freedom International (ADFI) considered that violating the dignity of the Hungarian nation was not a legitimate reason for withholding freedom of speech and was not "necessary" under international law.[94]

47. JS12 considered that political interference in the corporate structure and in the editorial content broadcast by Hungary's public media amounted to censorship within the state broadcaster.[95]

48. JS12 stated that despite accepting the UPR recommendation to engage with concerns of the Council of Europe regarding its media laws[96], Hungary had failed to acknowledge the concerns regarding a norm that prohibited adding opinions or evaluative explanations to political news.[97] CIVICUS recommended that Hungary, in close consultation with a wide range of media practitioners and civil society, conduct a thorough review of all laws regulating free expression in Hungary.[98]

49. JS12 reported that following amendments to its Criminal Code in 2012, defamation was criminalized and in 2013 its provisions were expanded.[99] CoE-Commisioner called on the authorities to repeal criminal defamation provisions in favour of civil sanctions, which should be strictly proportionate to the actual harm caused.[100]

50. CIVICUS asserted that the right to access government information had been undermined in Hungary following the 2013 amendment of the Law on Freedom of Information.[101] JS4 indicated that this Act permitted state institutions with data management responsibilities excessive latitude to reject requests for public information without proper explanation.[102] JS7 recommended that Hungary revise the amendments of laws restricting freedom of information and undermining transparency and accountability.[103] JS4 recommended, inter alia, that Hungary reinstate a freedom of information parliamentary ombudsman.[104]

51. JS11 stated that the government elected in 2010 adopted a new constitution in 2012, and had since passed increasingly restrictive legislation regarding accreditation and funding of non-governmental organisations. This despite Hungary having accepted recommendations on engaging civil society in the implementation of UPR recommendations[105] and on maintaining freedom of expression.[106] FLD called upon member states of the Human Rights Council to urge the Hungarian authorities to, inter alia fully implement the adopted UPR recommendations on human rights defenders[107] in a transparent and participatory manner.[108]

52. FLD stated that extreme right wing groups had been responsible for intimidating and threatening human rights defenders.[109]

53. JS11 reported on obstacles to defend human rights, including official restrictions on freedom of expression, excessive limitations on access to information, limits on the plurality of the press and threats to the independence of the judiciary, as well as a systematic attack on NGOs and their funders.[110] It stated that a persistent campaign to limit the activities of human rights NGOs critical of the government had been sustained since 2013, including stigmatisation of defenders by both media and governmental sources, official restrictions on NGO operations, unreasonable governmental financial oversight and auditing, criminal proceedings, and the official blacklisting of 'potentially problematic NGOs'.[111]

54. FLD reported about accusations against NGOs at the highest government levels of being politically motivated.[112] EU-FRA noted with concern that the Hungarian government had publicly branded some of the well-known support services as "left leaning".[113] JS4 recommended, inter alia, that Hungary halt any smear campaigns against civil society organisations that were overtly criticizing the government's anticorruption, human rights and rule of law performance.[114]

55. JS12 recommended, inter alia, that Hungary respect and protect the right of NGOs to access and utilise resources, including funding from foreign sources; refrain from criminalising the legitimate activities of human rights defenders (HRDs) and repeal all laws and policies which restrict their activities and rights; demonstrate strong, high-level political support for HRDs through public statements by State officials which recognise their important and legitimate work; and combat impunity by ensuring the prompt, thorough and impartial investigation of all violations against HRDs.[115]

56. JS2 asserted that following first cycle UPR recommendations on engaging and consulting with civil society[116], a Human Rights Roundtable consisting of NGOs was set up as a consultative body for the Human Rights Working Group for more intense dialogue with civil society.[117]

57. OSCE/ODIDHR stated that a large number of cardinal laws, including electoral legislation, was adopted using procedures that circumvented the requirement for public consultation.[118] JS11 recommended that Hungary guarantee adequate processes and timeframes for meaningful civil society participation in the development and implementation of public policies.[119] IBAHRI recommended that Hungary seek to rebuild an atmosphere in which responsible dialogue between government and civil society organizations is possible.[120]

58. ADFI recommended that Hungary repeal or significantly amend the 2011 Church Act to meet international obligations regarding freedom of religion.[121]

6. Right to work and to just and favourable conditions of work

59. CoE-Commissioner urged the authorities to combat widespread direct and indirect discrimination of Roma in access to employment, notably by ensuring full respect of the social rights of the employees working in public work programmes and their rapid integration into the primary labour market.[122]

60. JS6 recommended that Hungary modify the legal framework of the public work system to eliminate discriminatory rules and ensure that institutions entitled to investigate complaints regarding compliance with the rules of this system carry out their duties with the necessary thoroughness, impartiality and effectiveness.[123]

7. Right to social security and to an adequate standard of living

61. JS9 stated that in Hungary approximately 3 million individuals lived under the poverty line, 1.2 million of them in extreme poverty, which particularly affected children

and those living in disadvantaged regions.[124] JS9 recommended, inter alia, that Hungary implement efficient policies to address child poverty and reconsider the social and family allowance system with the aim of reducing inequalities.[125]

62. JS7 expressed that poverty had drastically increased in Hungary since 2008 but still it was the country in the region with the most severe cuts in welfare expenditure (-10%).[126] JS7 reported that besides curtailing welfare provisions, various measures were introduced that criminalized different manifestations of poverty, such as street homelessness.[127] JS7 recommended inter alia, that Hungary stop forced evictions and increase significantly the availability of affordable housing.[128]

63. Regarding the UPR recommendation of the first cycle on the financial and welfare increase in support for families living in poverty,[129] JS3 affirmed that child benefits had been broadened especially helping children from large families or children from families of low income.[130] JS3 also stated that families where parents were unemployed or had a low income needed special attention and that granting family allowances on a universal basis was highly recommended.[131]

8. Right to health

64. JS7 recommended that Hungary ensure that all social strata, including homeless people have equal access to the universal health care system.[132] JS3 highly recommended that Hungary further extend the competencies of health visitors (the only health care and child welfare professionals directly available in rural areas).[133] CoE refered to cases of non-compliance of the European Social Charter in the field of labour rights, including that measures taken to reduce the mortality rate had been insufficient and that it was not established that adequate assistance was available to any person in need.[134]

65. JS3 recommended that Hungary consider the possible ways of improving birth and postpartum care.[135]

66. JS10 recommended, inter alia, that Hungary remove barriers in the access to abortion services and enable access to affordable contraceptive methods.[136]

67. JS2 highlighted situations of discrimination against LGBTQI in health services and recommended, inter alia, that Hungary introduce sensitizing training for doctors and other medical in this regard.[137]

9. Right to education

68. On the first cycle UPR recommendation about the elimination of segregated education[138], JS3 indicated that although steps to stop segregation in schools had been taken, their realization very much depended upon institutional management decisions.[139] CoE-CM indicated that the authorities had adopted legislative, financial and educational measures to improve the integration of disadvantaged children, many of them belonging to the Roma, into the school system.[140]

69. JS3 stated that it was especially important that disadvantaged regions were equipped with high standard education.[141] JS3 stated that introducing incentives for teachers to take up jobs at more challenging and less developed regions was highly recommended.[142]

70. JS9 recommended that Hungary include human rights (especially children's rights) in the public education system and strengthen its efforts in raising the awareness about human rights generally.[143]

71. JS9 reported that the new Public Education Act reduced the compulsory school age from 18 to 16 years, with a negative effect on the number of students acquiring higher education certificates and recommended, inter alia, that Hungary raise it to 18 years.[144]

72. JS7 stated that approximately 45% of Roma children attended schools or classes where all or the majority of their classmates were also Roma.[145] JS6 reported that despite protests of civil society, a modification of the Public Education Act was passed in December 2014 that authorized the government to determine (by decree) the waivers which could be applied to permit segregated education.[146] CoE-CM recommended that Hungary take resolute measures to put an end, without further delay, to the continuing segregation of Roma children at school.[147]

73. CoE-ECRI recommended that Hungary stop definitively the practice of placing Roma children without genuine disabilities in schools for the mentally disabled.[148] JS6 stated that testing procedures in use to assess the mental ability of children were contributing to segregation.[149]

10. Persons with disabilities

74. Regarding UPR recommendations to eliminate segregated education, elaborate a national strategy for the introduction of an inclusive education, and ensure the right to education for children with disabilities,[150] JS3 stated that special schools for these children were not available in all regions.[151] JS7 recommended that Hungary, inter alia, take immediate actions to ensure inclusive primary and secondary education for all children with disabilities and phase out the placement of children with disabilities in separate schools or classes.[152]

75. Mental Disability Advocacy Centre (MDAC) affirmed that the Government continued to fall short on its obligations and commitments to guarantee choice, autonomy and the right to decide for people with mental disabilities.[153] JS7 recommended that Hungary amend the Civil Code by abolishing plenary and partial guardianship for persons with mental disabilities.[154]

76. JS7 recommended that Hungary take immediate action to establish an independent monitoring mechanism which promoted, protected and monitored the implementation of the CRPD in Hungary.[155]

77. JS7 recommended, inter alia, that Hungary abolish restriction on the right to vote for all persons with disabilities.[156] CoE-Commissioner urged the Hungarian authorities to ensure that all persons with disabilities can participate in political and public life on an equal basis.[157]

11. Minorities

78. CoE-CM stated that in recent years, the Roma had increasingly been victims of displays of intolerance, hostility and racially-motivated violence. CoE-CM recommended, inter alia, that Hungary take more resolute measures to combat all forms of intolerance, including in political discourse and take further steps to effectively prevent, investigate and sanction all forms of discrimination by members of the police force.[158] HHC recommended that Hungary take measures to combat ethnic profiling by the police affecting the Roma.[159]

79. JS6 underscored that although the Hungarian National Social Inclusion Strategy was updated in 2014, no specific measures had been adopted to decrease segregation of Romani children.[160] CoE-ECRI considered that Hungary's National Social Inclusion Strategy had had little impact so far.[161]

80. CoE-CM indicated that despite the adoption of various specific action plans to improve the situation of the Roma, their effective participation in social and economic life remained very limited.[162]

12. Migrants, refugees and asylum seekers

81. JS7 indicated that first cycle UPR recommendations aimed at improving the living conditions of asylum-seekers[163] had not been implemented, while the government had failed to properly extend the country's reception capacities.[164] JS7 recommended that Hungary elaborate a national plan to reform the reception structure.[165]

82. Amnesty International (AI) asserted that in response to the significant increase in the number of refugees and migrants entering Hungary since January 2015, the government had adopted measures aimed at keeping refugees and migrants out of its territory, and that this could lead to a breach of the commitments made during its first UPR, including accepted recommendations to improve the living conditions of asylum-seekers and to step up efforts directed towards improving the treatment of asylum-seekers and refugees.[166]

83. HHC underscored that the UPR recommendation that Hungary should proceed to forced expulsions only in strict compliance with international and regional standards had only been partially implemented.[167] HHC stated that based on a new national list of safe countries, the Office of Immigration and Nationality rejected as inadmissible almost all asylum claims and that by applying this rule Hungary would violate its obligation of *non-refoulement*.[168]

84. AI recommended, inter alia, that Hungary remove any laws, policies or practices which discriminated against asylum seekers based on their method of arrival, their country of origin, or their nationality.[169] HHC recommended that Hungary amend the legislation in order to enable asylum-seekers to present their case in front of a judge.[170]

85. AI expressed that the criminalization and detention of refugees and asylum-seekers violated the 1951 Refugee Convention.[171] CoE-Commissioner called upon the Hungarian authorities to ensure that the detention of asylum seekers was only used as a last resort, for the shortest possible period of time and on the basis of individual assessments.[172]

86. AI reported that on 21 September 2015 Hungary's Parliament passed legislation authorizing the deployment of military forces to assist the police in securing the border and territory of Hungary in cases of "crises caused by mass immigration". AI recommended, inter alia, that Hungary refrain from using the military in policing the border operations except where strictly necessary and proportionate, and ensure that any excessive use of force be promptly investigated in an independent and impartial manner.[173]

87. JS5 recommended that Hungary discontinue the anti- immigration campaign and take measures to promote tolerance for asylum seekers.[174]

88. JS7 recommended that Hungary ensure that that asylum-seeking, unaccompanied and migrant children were not detained under any circumstance.[175] JS9 recommended that Hungary ensure that all children could effectively access and exercise their rights in criminal proceedings.[176]

89. While commending the establishment of a procedure to assess and confer formal status on stateless persons, CoE-Commissioner noted that the Hungarian legislation still prevented persons who were not lawfully residing in Hungary from applying for stateless status, in breach of Hungary's international obligations.[177] JS1 referred to a number of challenges including restrictions in access to the statelessness determination procedure and recommended, inter alia, that Hungary ensure that all children born in Hungary, who would otherwise be stateless, acquire Hungarian nationality automatically at birth.[178]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

AI	Amnesty International, London (United Kingdom of Great Britain and Northern Ireland);
ADFI	Alliance Defending Freedom International, Geneva (Switzerland);
CIVICUS	CIVICUS, World Alliance for Citizen Participation, Johannesburg (South Africa);
FLD	Frontline Defenders;
HHC	Hungarian Helsinki Committee, Budapest (Hungary);
IBAHRI	International Bar Association's Human Rights Institute, London (United Kingdom of Great Britain and Northern Ireland);
MDAC	Mental Disability Advocacy Centre, Budapest (Hungary).

Joint submissions:

JS1	Joint submission 1 submitted by: Hungarian Helsinki Committee; European Network on Statelessness; Institute on Statelessness and Inclusion;
JS2	Joint submission 2 submitted by: Hungarian LGBT Alliance, Transvanilla Transgender Association, Háttér Society, Budapest Pride, and Labrisz Lesbian Association . City (Country);
JS3	Joint submission 3 submitted by: National Association of Large Families in Hungary (NOE), Confederation of Family Associations in the Carpathian Basin (KCSSZ); Otthon Segitunk Alapitvany - Home Start Foundation Hungary; Down Alapitvany - Hungarian Down Foundation in aid of persons with an intellectual disability; Feher Kereszt Alapitvany - White Cross Foundation for Children; Nok a Nemzet Jovojeert Egyesulet- Women for the Future of the Nation Association; ERGO Europai Regional Szervezet - ERGO European Regional Organization; Kezenfogva Alapitvany - Hand in Hand Foundation; Magyar Noi Unio - Union of Hungarian Women;
JS4	Joint submission 4 submitted by: Transparency International Hungary (TI Hungary or TIH), Budapest (Hungary); Transparency International (TI), Berlin (Germany); K-Monitor, Budapest (Hungary);
JS5	Joint submission 5 submitted by: Working Group Against Hate Crimes: Amnesty International Hungary; Háttér Society; Hungarian Helsinki Committee; Legal Defense Bureau for national and Ethnic Minorities; Hungarian Civil Liberties Union;
JS6	Joint submission 6 submitted by: Chance for the Children Foundation (CFCF), Budapest (Hungary); European Roma Rights Centre (ERRC); Legal Defence Bureau for National and Ethnic Minorities (NEKI);
JS7	Joint submission 7 submitted by: Mental Disability Advocacy Centre (MDAC), Hungary; The City is for All; Hungarian civil Liberties Union, Hungary; Hungarian Helsinki Committee, Hungary; Coalition on the Rights of the Child; Chances for Children Association; European Roma Rights Centre; Chance for Children Foundation, Budapest (Hungary); Hungarian Association of the Deaf and Hard of Hearing; SOS Children's Villages Hungary; Kék Vonal Child Crisis Foundation, UNICEF National Committee in Hungary; Association of European Parents in Hungary; Working Group Against Hate Crimes; Hungarian Women's Lobby; NANE Women's Rights Association; People Opposing Patriarchy (PATENT);

JS8	Joint submission 8 submitted by: Hungarian Civil Liberties Union; Privacy International;
JS9	Joint submission 9 submitted by: UNICEF Hungarian National Committee, Budapest (Hungary); SOS Children's Villages Hungary; Mental Disability Advocacy Centre (MDAC); Chances for Children Association (Gyerekesély Egyesület); European Roma Rights Centre (ERRC); Hungarian Association of the Deaf and Hard of Hearing (SINOSZ); Kék Vonal Child Crisis Foundation, Terre des Hommes; Association of European Parents in Hungary (ESZME); Hungarian LGBT Alliance; Hope for Children Hungary; Chance for Children Foundation (CFCF); Pressley Ridge Hungary Foundation; Family, Child, Youth Association (CSAGYI);
JS10	Joint submission 10 submitted by: Hungarian Women's Lobby (HWL); Women's Right Association (NANE); People Opposing Patriarchy (PATENT).;
JS11	Joint submission 11 submitted by: International Service for Human Rights (ISHR); Geneva (Switzerland); Hungarian Civil Liberties Union;
JS12	Joint submission 12 submitted by: PEN International, Austrian PEN, English PEN, and German PEN.

National human rights institution(s):

CFR*	The Office of the Commissioner for Fundamental Rights of Hungary , Budapest (Hungary).

Regional intergovernmental organization(s):

CoE	The Council of Europe, Strasbourg (France). Attachments: (CoE-CPT) Report to the Hungarian Government on the visit to Hungary carried out by the European Committee for the Prevention of torture and Inhuman or Degrading Treatment or Punishment (CPT) from 3 to 12 April 2013, Strasbourg, 30 April 2014; (CoE-Commissioner) Council of Europe Commissioner for Human Rights, Report, Following his visit to Hungary from 1 to 4 July 2014, Strasbourg, 16 December 2014; (CoE-CM: Resolution) Committee of Ministers of the Council of Europe. Resolution of the Committee of Ministers CM/ResCMN(2011)13 on the implementation of the Framework convention for the Protection of national Minorities by Hungary, Adopted by the Committee of Ministers on 6 July 2011 at the 1118th meeting of the Minister's Deputies; (CoE-CEERML) Committee of Experts on the European Charter for Regional or Minority Languages, European Charter for Regional or Minority Languages, Application of the Charter in Hungary, 5th monitoring cycle, Report of the Committee of Experts on the application of the Charter, Strasbourg, 10 July 2013; (CoE-GRETA) Group of Experts on Action against Trafficking in Human Beings, Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Slovenia, First evaluation round, Adopted on 8 November 2013; (CoE-GRECO) The Group of States against Corruption of the Council of Europe, Fourth Evaluation Round, Corruption prevention in respect of members of parliament, judges and prosecutors, Evaluation Report – Hungary, adopted by GRECO at its 67th Plenary Meeting, Strasbourg, 23-27 March 2015.; (CoE-ECRI) Council of Europe – European Commission Against Racism and Intolerance, Report on Hungary, adopted on 19 March 2015, Strasbourg, 16 December 2014;

	European Social Charter, European Committee of Social Rights, Conclusions 2014 (Hungary) on Articles XXXXof the Revised Social Charter;
	European Social Charter, European Committee of Social Rights, Conclusions 2013 (Hungary) on Articles XXXXof the Revised Social Charter;
	European Social Charter, European Committee of Social Rights, Conclusions 2012 (Hungary) on Articles XXXXof the Revised Social Charter;
EUFRA	European Union Agency for Fundamental Rights;
OSCE/ODIDHR	Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe.

[2] Recommendation 94.1 (Czech Republic), Recommendation 94.2 (Brazil), Recommendation 94.3 (Afghanistan), Recommendation 94.4 (Denmark), Recommendation 94.5 (France). For the full text of the recommendations see: A/HRC/18/17.
[3] CFR, para. 5.
[4] Recommendation 94.8 (Switzerland), Recommendation 94.16 (Norway), Recommendation 94.29 (Switzerland), Recommendation 94.41 (Argentina), Recommendation 94.43 (Russian Federation), Recommendation 94.44 (Australia), Recommendation 94.46 (Bangladesh), Recommendation 94.47 (Republic of Korea), Recommendation 94.48 (Belarus), Recommendation 94.49 (Pakistan), Recommendation 94.50 (Norway), Recommendation 94.51 (Brazil), Recommendation 94.53 (United Kingdom of Great Britain and Northern Ireland), Recommendation 94.54 (Thailand), Recommendation 94.55 (Uruguay), Recommendation 94.57 (Islamic Republic of Iran), Recommendation 94.60 (Holy See), Recommendation 94.61 (Indonesia), Recommendation 94.62 (United Kingdom of Great Britain and Northern Ireland), Recommendation 94.86 (Indonesia), Recommendation 94.93 (Greece), Recommendation 94.94 (Finland), Recommendation 94.95 (Canada), Recommendation 94.99 (Mexico), Recommendation 94.100 (Russian Federation), Recommendation 94.101 (Chile), Recommendation 94.102 (Germany), Recommendation 94.103 (Morocco), Recommendation 94.105 (Slovenia), Recommendation 94.106 (Thailand), Recommendation 94.107 (Sweden), Recommendation 94.108 (Spain), Recommendation 94.109 (Canada), Recommendation 94.110 (United States of America), Recommendation 95.23 (Norway), Recommendation 95.24 (Slovenia), Recommendation 96.61 (Russian Federation). For the full text of the recommendations see: A/HRC/18/17.
[5] CFR, paras. 21, 22 and 24.
[6] CFR, para. 21.
[7] Recommendation 94.99 (Mexico). For the full text of the recommendation see: A/HRC/18/17.
[8] CFR, para. 23.
[9] CFR, para. 7. See also: CFR para. 6.
[10] Recommendation 94.77 (Thailand), Recommendation 94.87 (Islamic Republic of Iran). For the full text of the recommendations see: A/HRC/18/17.
[11] CFR, para. 9.
[12] Recommendation 94.59 (Ecuador). For the full text of the recommendation see: A/HRC/18/17.
[13] CFR, para. 5.
[14] CFR, para. 10.
[15] CFR, para.12.
[16] Recommendation 94.1 (Czech Republic), Recommendation 94.2 (Brazil), Recommendation 94.3 (Afghanistan), Recommendation 94.4 (Denmark), Recommendation 94.5 (France). For the full text of the recommendations see: A/HRC/18/17.
[17] JS7, p. 3.
[18] JS9, p. 6.
[19] JS10, p. 6.
[20] CoE-ECRI, p. 17.
[21] JS2, para. 3. See also: JS10 p. 3.
[22] JS10, p. 3.
[23] JS7, p. 2.
[24] JS11, p. 2.

[25] JS11, p. 2.
[26] JS7, p. 3. See also: HHC, para. 1.1. and JS7, p. 3.
[27] JS10, p. 3.
[28] JS10, pp. 4 and 8.
[29] EU-FRA, p. 21 (Racism, discrimination, intolerance and extremism: learning from experiences in Greece and Hungary (December 2013), pp.25 and 27).
[30] CoE, p.2. See also: EU-FRA, p. 21 (Racism, discrimination, intolerance and extremism: learning from experiences in Greece and Hungary (December 2013), pp.25 and 27.
[31] CoE-ECRI, p. 9.
[32] CoE-CM – Resolution, p. 2. See also: CoE-ECRI, p.9.
[33] JS5, p. 9.
[34] CoE-ECRI, pp. 9 and 10.
[35] Recommendation 94.13 (United States of America), Recommendation 94.53 (United Kingdom of Great Britain and Northern Irelan '). For the full text of the recommendations see: A/HRC/18/17.
[36] JS2, paras. 4 and 15. See also: JS[5], p. 2.
[37] JS5, p. 3.
[38] CoE-ECRI, p. 12.
[39] JS5, pp. 3, 4, 6, 7, 8 and 9. See also: JS2, para 16, JS12, p. 9, CoE-Commissioner, p. 5, OSCE/ODIHR, p. 10, JS7, p. 13, EU-FRA, p.10 and CoE-ECRI, p. 10.
[40] JS7, p.8 See also: OSCE/ODIHR, p. 9.
[41] Recommendation 94.42 (Republic of Moldova). For the full text of the recommendation see: A/HRC/18/17.
[42] JS3, p. 8. See also: JS3, pp.6 and 7.
[43] JS7, p. 8.
[44] OSCE/ODIHR, pp. 5 and 9. See also: JS7, p. 8.
[45] JS10, p. 4. See also JS10, p. 3.
[46] Recommendation 94.30 (Switzerland) , Recommendation 94.52 (France). For the full text of the recommendations see: A/HRC/18/17.
[47] JS2, para. 6. See also: JS2, paras. 8 and 15.
[48] Recommendation 94.10 (United States of America), Recommendation 94.11 (Brazil), Recommendation 94.12 (United Kingdom of Great Britain and Northern Ireland), Recommendation 94.13 (United States of America), Recommendation 94.30 (Switzerland), Recommendation 94.38 (Bangladesh), Recommendation 94.41 (Argentina), Recommendation 94.42 (Republic of Moldova), Recommendation 94.92 (France), Recommendation 94.57 (Islamic Republic of Iran), Recommendation 94.60 (Holy See), Recommendation 94.65 (Thailand), Recommendation 94.68 (Islamic Republic of Iran), Recommendation 94.70 (Azerbaijan), Recommendation 94.71 (Brazil), Recommendation 94.72 (Morocco), Recommendation 94.92 (Morocco), Recommendation 94.98 (Egypt), Recommendation 94.100 (Russian Federation), Recommendation 94.108 (Spain), Recommendation 95.9 (Belgium), Recommendation 95.11 (Netherlands), Recommendation 95.14 (Norway), Recommendation 95.16 (Republic of Moldova), Recommendation 95.20 (Pakistan). For the full text of the recommendations see: A/HRC/18/17.
[49] JS11, p. 2. See also: JS2 para. 7 and JS12, p.9.
[50] JS2, para. 10. See also: CoE-ECRI, p. 10 and CoE-Commissioner, p. 5.
[51] CoE, p. 1. See also CoE-CPT, para. 46.
[52] CoE-CPT, para. 14. See also: CoE-CPT, paras. 11 and 15 and CoE, p. 1.
[53] HHC, para. 1.4 See also IBAHRI, para. 2.16.
[54] Recommendation 94.80 (Uzbekistan); For the full text of the recommendation see: A/HRC/18/17.
[55] HHC, para. 1.8.
[56] HHC, para. 3.1.
[57] CoE, p.7. See also: EU-FRA, p. 13 (Victims of crime in the EU: the extent and nature of support for victims ,January 2015,' p. 34).
[58] CoE, p. 7. See also: JS9, p. 10 and CoE-GRETA, pp. 46 and 50.
[59] JS9, P. 8.
[60] JS10, p. 6. See also: JS7, p. 8.
[61] JS10, pp. 5 and 6.
[62] JS10, pp. 6 and 7.

[63] JS4, pp. 2 and 3.
[64] FLD, para. 2. See also: OSCE/ODIDHR, pp. 2 and 3and IBAHRI, para. 2.19.
[65] JS4, p.4. See also: FDL, para. 2 and IBAHRI, paras. 2.13 and 2.14.
[66] JS4, p. 4.
[67] IBAHRI, para. 2.14.
[68] IBAHRI, para. 2.7. See also, IBAHRI, paras. 2.5, 2.6 and 2.10.
[69] IBAHRI, paras. 2.8, 2.9 and 2.10. See also EU-FRA, p.10, and JS4, p. 5.
[70] IBAHRI, para. 2.10 . See also: CoE-GRECO, p.3 and JS4, p. 6.
[71] CoE, p.8.
[72] JS4, P. 6.
[73] CoE-GRECO, p. 3.
[74] JS4, p. 7.
[75] Recommendation 94.63 (Islamic Republic of Iran), Recommendation 94.64 (Denmark), Recommendation 94.65 (Thailand). For the full text of the recommendations see: A/HRC/18/17.
[76] HHC, para. 1.2. See also: JS7, p. 4 and CoE, p. 1.
[77] JS7, p. 4. See also: CoE-CPT, paras. 23 and 24.
[78] Recommendation 94.77 (Thailand), Recommendation 94.87 (Islamic Republic of Iran). For the full text of the recommendations see: A/HRC/18/17.
[79] HHC, para. 1.6.
[80] JS7, p. 10.
[81] JS9, p. 16.
[82] JS8, p. 3.
[83] JS8, p. 6. See also: JS8, p. 5.
[84] JS7, p. 12. See also: JS8, p. 4.
[85] JS8, pp 6-8.
[86] JS10, p. 7.
[87] JS3, p. 2. See also: JS7, p.11.
[88] JS11, p. 1. See also: JS12, pp. 6 and 10. See also: CIVICUS, para. 3.8.
[89] FLD, para. 13.
[90] CoE-Commissioner, p. 4. See also. JS11, p. 3, JS2, p. 3, and CIVICUS, paras. 3.2 and 3.3.
[91] CoE-Commissioner, p. 4.
[92] JS12, p.10. See also: CoE-Commissioner, p. 4 and FLD, para. 13.
[93] JS12, p. 4. See also: ADFI, paras. 19 and 20.
[94] ADFI, para.24. See also: ADFI, paras. 25 and 29 and JS11, p. 3.
[95] JS12, p. 8.
[96] Recommendation 94.9 (Netherlands). For the full text of the recommendation see A/HRC/18/17.
[97] JS12, p. 6. See also: CoE-Commissioner, p. 4.
[98] CIVICUS, p. 12.
[99] JS12, p. 8.
[100] CoE Commissioner, p. 4. See also: JS12, p.10.
[101] CIVICUS, para.3.7. See also: JS4, p. 7.
[102] JS4, p. 8.
[103] JS7, p. 12. See also: EU-FRA, p. 8 (Fundamental rights: challenges and achievements in 2013 - Annual Report 2013, June 2014, p. 84).
[104] JS4, p. 8.
[105] Recommendation 94.33 (Poland) and Recommendation 94.37 (Austria). For the full text of the recommendations see: A/HRC/18/17.
[106] Recommendation 94.89 (Austria) and 94.90 (United States of America). For the full text of the recommendations see: A/HRC/18/17.
[107] Recommendation 94.33 (Poland), Recommendation 94.37 (Austria), Recommendation 94.73 (Belarus), Recommendation 94.86 (Indonesia). For the full text of the recommendations see: A/HRC/18/17.
[108] FLD, para. 29.
[109] FLD, paras. 3 and 18.
[110] JS11, p. 1.
[111] JS11, p. 1. See also: JS4, p. 9.

[112] FLD, paras. 3, 4 and 16.
[113] EU-FRA, p. 13 (Victims of crime in the EU: the extent and nature of support for victims, January 2015, p. 66). See also: IBAHRI, para. 2.22.
[114] JS4, p. 10, See also: IBAHRI, para. 2.22.
[115] JS11, p. 2. See also: FLD, para. 29.
[116] Recommendation 94.33 (Poland), Recommendation 94.37 (Austria). For the full text of the recommendations see: A/HRC/18/17.
[117] JS2, p. 1.
[118] OSCE/ODIDHR, pp. 2 and 3. See also: IBAHRI para. 2.19.
[119] JS11, p. 2.
[120] IBAHARI, para. 2.22. See also: CIVICUS, p. 10.
[121] ADFI, para. 29. See also: ADFI, paras. 9, 10, 11, 14 and 18.
[122] CoE-Commissioner, p. 5.
[123] J6, p. 12. See also: JS6, p. 4.
[124] JS9, p. 11.
[125] JS9, p. 12.
[126] JS7, p. 3.
[127] JS7, p. 3. See also: JS7, P. 11.
[128] JS7, p. 11.
[129] Recommendation 95.22 (Bangladesh). For the full text of the recommendation see: A/HRC/18/17.
[130] JS3, pp. 2 and 3.
[131] JS3, p. 2.
[132] JS7, p. 11.
[133] JS3, p. 10.
[134] CoE, p. 11. See also See also, European Committee of Social Rights, Conclusions 2013 (Hungary).
[135] JS3, p. 8.
[136] JS10, p. 8. See also: JS7, p. 11.
[137] JS2, paras. 32-37.
[138] Recommendation 94.96 (Finland). For the full text of the recommendation see: A/HRC/18/17.
[139] JS3, p. 4.
[140] CoE-CM Resolution, p. 1.
[141] JS3, p. 3.
[142] JS3, p. 3. See also: JS3, pp. 4 and 5.
[143] JS9, P. 3. See also: JS2, para. 31.
[144] JS9, pp. 4 and 5.
[145] JS7, p.9. See also: CoE-CM – Resolution, p. 2. See also: JS6, pp. 10 and 13.
[146] JS6, p. 6. See also: CFR, para. 22.
[147] CoE-CM – Resolution, p. 2. See also: CoE-ECRI, p. 10, CoE-Commissioner, p. 5.
[148] CoE-ECRI, p. 10.
[149] JS6, pp. 9 and 13. See also: JS7, p. 9, OSCE/ODIHR, p. 6 and Department for the execution of judgment of the European Court of Human Rights (ECHR), case Discrimination against Roma children – Horvath and Kiss v. Hungary, Application No. 11146/11, Judgment final on 29/04/2013, General measures, p. 2.
[150] Recommendation 94.96 (Finland) and Recommendation 94.97 (Uruguay). For the full text of the recommendations see: A/HRC/18/17.
[151] JS3, p. 3.
[152] JS7, p. 7. See also: MDAC, p.2, JS9, p.13 and CFR, para. 13.
[153] MDAC, p. 2. See also: JS7, p. 6 and JS9, p. 12.
[154] JS7, p. 6. See also: CoE-Commissioner, p. 5.
[155] JS7, p. 5. See also: JS7, p. 7.
[156] JS7, p. 13.
[157] CoE-Commissioner, p. 5.
[158] CoE-CM – Resolution, p. 2.
[159] HHC, para. 1.7, See also: JS6, pp. 8 and 12, CoE-CM – Resolution, p. 2 and JS6, p.12.
[160] JS6, p. 5.
[161] CoE-ECRI, p. 10. See also: OSCE/ODIHR, p. 5.

[162] CoE-CM – Resolution, p. 2. See also: OSCE/ODIHR, p. 7.
[163] Recommendations 94.112 (Islamic Republic of Iran) and 94.113 (Belarus).
[164] JS7, p. 5.
[165] JS7, p. 5. See also: HHC, para. 2.2.
[166] AI, pp. 1 and 2.
[167] HHC, para. 2.1.
[168] HHC, para. 2.1. See also: HHC, para. 2.7, JS7, p.4 and AI, pp. 2 and 5.
[169] AI, p. 5.
[170] HHC, para. 2.4. See also: HHC, para. 2.6.
[171] AI, p. 3.
[172] CoE-Commissioner, p. 6. See also: AI, p. 5 and HHC, para. 2.7.
[173] AI, p. 5.
[174] JS5, p. 9.
[175] JS7, p. 10. See also: JS9, p. 15.
[176] JS9, p. 15.
[177] CoE-Commissioner p. 6. See also: JS1, p. 10.
[178] JS1, pp. 3, 10 and 11.